

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

JUANA M. OLIVERA,)	
)	
Claimant,)	IC 04-007009
)	
v.)	ORDER
)	
BLEDSON CONSTRUCTION, INC.,)	Filed
)	July 15, 2005
Employer,)	
)	
and)	
)	
LIBERTY NORTHWEST INSURANCE)	
CORPORATION,)	
)	
Surety,)	
)	
Defendants.)	
_____)	

Pursuant to Idaho Code § 72-717, Referee Robert D. Barclay submitted the record in the above-entitled matter, together with his findings of fact and conclusions of law to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendation of the Referee. The Commission concurs with the recommendation. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED That:

ORDER - 1

1. Claimant has not demonstrated an accident as defined by Idaho Code § 72-102 (17)
(b) occurred on January 26, 2004. Thus, her claim for compensation fails.

2. The remaining notice issue is moot.

3. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to the issues adjudicated.

DATED This 15th day of July, 2005.

INDUSTRIAL COMMISSION

/s/
Thomas E. Limbaugh, Chairman

James F. Kile, Commissioner

/s/
R. D. Maynard, Commissioner

ATTEST:

/s/
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of July, 2005, a true and correct copy of the foregoing **Order** was served by regular United States Mail upon each of the following:

DANIEL A MILLER
LUDWIG SHOUFLE MILLER LLP
209 W MAIN ST
BOISE ID 83702

MONTE R WHITTIER
LAW OFFICES OF HARMON WHITTIER & DAY
PO BOX 6358
BOISE ID 83707-6358

kk

/s/_____